

Minutes of the Judiciary and Law Enforcement Committee – January 16, 2009

Chair Bonnie Morris called the meeting to order at 8:32 a.m.

Committee Members Present: County Board Supervisors Bonnie Morris (Chair), John Pledl, Dave Falstad, Peter Wolff (arrived at 8:34 a.m.) and Jean Tortomasi. **Absent:** Supervisor Kathleen Cummings.

Also Present: Legislative Policy Advisor Dave Krahn, Legislative Associate Karen Phillips, Corporation Counsel Tom Farley, Senior Financial Analyst Lyndsay Johnson, Executive Assistant Julianne Klimetz, and Director of Emergency Preparedness Richard Tuma.

Approval of Minutes – October 17, 2008

MOTION: Tortomasi moved, second by Falstad, to approve the minutes of October 17, 2008. Motion carried 6-0.

MOTION: Tortomasi moved, second by Falstad, to approve the minutes of November 14, 2008. Motion carried 6-0.

Correspondence

- Grant application: Homeland Security UASI Grant – Enhancements of County and Local Response Capabilities (\$29,680)
- Grant application: Wisconsin Emergency Management – Emergency Operations Training(\$4,270)
- Grant application: Adult Drug Court Discretionary Grant Program Enhancement Grant – CJCC Alcohol Treatment Court Enhancement Grant (\$200,000)

Executive Committee Report

Morris reviewed the items discussed at the Executive Committee meeting of January 5, 2009.

- Interviews for Supervisory District 13
- Discussion of Future Agenda Items for the Executive Committee

Future Agenda Items

Falstad suggested a presentation by Brian Dorow of WCTC of their nationally recognized program for the security of non commercial airports. Tortomasi will follow-up with the Finance Committee for a possible joint meeting with the Judiciary and Law Enforcement Committee for the presentation.

Future Meeting Date

- February 13, 2009

Morris stated that in the future, there would be only one meeting per month unless a second meeting is necessary (except for budget review months).

Overview of Claim Process

Farley stated that claims against the county are extremely varied. The County Board is notified monthly by means of the Claims List included with the County Board meeting packet. The list includes the notices of injury and notices of circumstances that have been filed with the County Clerk. Wisconsin statutes require that the notices be given to a governmental body if a claim is intended to be made within 90-120 days, depending on the municipality. Farley outlined the processes of the various types of claims and procedural issues followed under the State statute of limitations. He stated that about half of the claims against Waukesha County are Federal claims such as civil rights and equal

rights. The notice of injury and claim provisions of the State statutes do not apply to the Federal claims.

Farley reviewed the background on the formation of the insurance company that provides coverage for Waukesha County and a number of other large municipalities. The self-insured company was formed by a number of counties, including Waukesha County. As claims come in, they are reviewed by the insurance company, Corporation Counsel, and the Department of Administration /Risk Management. The insurance company often hires an adjustment company for investigation. If further investigation is required, an outside attorney is sometimes hired by the insurance company to assist. Farley explained that each claim dictates by its own unique situation how it will be handled. He added that the dollar amount is not always the most important factor.

Farley informed the Committee that the Risk Management Department reports to the Finance Committee at least two times or more a year with the aggregate situation of claims. This would include a summary of how many claims are filed, what departments are involved, what cases are settled and the amounts of the settlements. Tortomasi agreed that the Finance Committee is always kept informed in a timely manor and is given updates on ongoing cases. Farley encouraged any supervisor wanting details about a particular matter to contact Corporation Counsel and Risk Management for more information.

Morris thanked Farley for a very informative presentation.

Update on the 9-1-1- Legislation

Tuma stated the 9-1-1- legislation is progressing. He said that Krahn has been of great assistance throughout the entire process. There have been meetings with legislators and legislative staff regarding the 9-1-1 legislation. The draft of language follows the same concept as the wireless 9-1-1 legislation. The next step includes meeting with the phone companies to confirm their support. If successful and if the governor signs it this year, it would take about one year to develop administrative rules.

Morris asked if any specific legislator would bring the 9-1-1 legislation forward. Tuma stated not yet, but they are looking at trying to get it into the governor's budget bill.

Tuma stated part of the legislation includes the creation of a 9-1-1- coordinator position for the State in the Public Service Commission (PSC) and the development of a statewide plan. Federal funds for 9-1-1 require a statewide plan, and currently there is none. There is no one on the State level that is in charge of 9-1-1.

Krahn said that they have not heard back from the governor's office regarding the inclusion of the 9-1-1 changes and surcharge in the budget bill. There was a meeting last week with the co-chairs of the finance committee, and there will be other meetings. Krahn stated that he and Tuma would keep the Committee apprised of any progress.

Morris thanked Tuma and Krahn for the incredible job they are doing in keeping the 9-1-1 legislation process moving forward.

Update on the RFP Process for the Dispatch System

Tuma stated the process is about two months behind schedule at this time. They are currently reviewing the 4th draft of the RFP. They are hoping to meet with the consultant again by the 3rd week in February. Tuma stated he feels the RFP is still weak on specifics. He wants more detail added to

the RFP, most importantly regarding the addressing issue. The RPF is currently about 250 pages, and he expects more to be added.

Morris asked about how many companies are anticipated to bid on this project. Tuma stated he anticipates about twelve, of which five or six may be viable. Tortomasi added that the consultant feels it would be best to go with an off-the-shelf type product without having too much customization. The customization was part of the problem with Spillman.

Morris thanked Tuma for the update. She stated that the tour of the Communications Center would follow the adjournment of the meeting.

Legislative Update

Krahn stated the budget bill should be ready by mid February; however, it could be delayed depending on the Federal stimulus package. He stated there is \$3 billion in the Federal bill for Byrne grants, over a two-year period. There will also be \$1 billion included for child support restoration funding. The bulk of the money will be going into economic stimulus activities. State legislators are working on a State stimulus package to allow for expeditious expenditures of the Federal money to bring back the economy. Krahn added that hopefully, the 9-1-1 statutory change and surcharge would be included in the State budget.

Krahn stated reviewed some of the bills circulating to the legislators from both Houses including:

- Enhancements to the drunk driving laws (3rd offense felony, ignition interlock, impounding of vehicle)
- Bringing the County Executive's veto authority into line with the Governor's veto authority
- Changes regarding driver's license revocation/suspension

Krahn stated that Speaker is looking to have the Organization Committee in the Assembly approve a rule stating there would be no fundraising by individual legislators while the budget is in process.

Krahn said that Chairman Dwyer is on a special committee of the Legislative Council, the Justice Reinvestment Initiative Oversight Committee. This committee will look at the justice system in Wisconsin, corrections, corrections costs, ways (other than prison) of dealing with people who have been charged and convicted, in an effort to find efficiencies and cost savings.

Krahn informed the Committee members that the Wisconsin Counties Association (WCA) will hold a regional meeting on January 23, 2009, from 9:30-12:00, at the Country Springs Hotel. All County Board members are approved to attend.

MOTION: Falstad moved, second by Pledl, to adjourn at 9:40 a.m. Motion carried 6-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary